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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,425	02/24/2000	Susumu Kusakabe	SONY-T0280	5567
29175	7590	11/22/2005		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			EXAMINER DASS, HARISH T	
			ART UNIT 3628	PAPER NUMBER
DATE MAILED: 11/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/512,425

Applicant(s)

KUSAKABE ET AL.

Examiner

Harish T. Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug. 8, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1, 5-9 and 14-15 were canceled.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 10-13 and 2-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Particularly Examiner was unable to find any reference to the added limitation of claims 10 and 11 such as: "means occurs independently of the reading of the utilization-history" in original specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda (US 5,884,271) in view of Suzuki (US 6,129,274).

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Re. Claim 10, Pitroda discloses a universal electronic transaction card ("UET card") for storing, transmitting and receiving personal, accounting and transactional information, to a UET card and read/write information, communications systems, and to an electronic transaction system which utilizes UET cards, where UET card is a pocket sized device, which includes a microprocessor, random access memory, a display, and input means, and is capable of storing personal information, storing cash value information, cash balance, review account information, record of transaction, serving as a credit card, perform bank transactions (deposit/withdrawal), and etc [See entire document particularly, Abstract; Figures 1-6, 16-17; C1 L4 to C8 L55], - an information card (UET card) for storing electronic money data (retaining) and utilization-history data (record of transaction) relating to deposits or withdrawals of electronic money, and utilization of the information card [C3 L41-L46; C8 L4-L5], - a plurality of electronic money terminals (ATM or POS) for withdrawing the money data from the information card, each of the electronic money terminals operatively reading the utilization-history data when said electronic money data is withdrawn (debits to the cash balance) from the information card for authorization for withdrawing the money data (preventing unauthorized access to the information stored in the memory such as money data, record (history data) or balance) [Fig. 19; C3 L41-L46; C4 L15-L41; C8 L4-L5; C14 L19-L60; C15 L1-L67] and electronic money management means for gathering the utilization-history data from the electronic money terminals [C1 L5-L67; C2 L42 to C3 L34; C10 L4-L40].

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Pitroda does not explicitly disclose wherein the utilization-history from each of the said plurality of electronic money terminal is processed within a specific electronic money terminal, Wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal.

However, it is well known that the ATM or POS terminal (electronic money terminal) processes the transactions and logs the history of the transaction with dispensing a receipt for customer (owner of the card) what he/she has purchased. For example, when a customer is charging its grocery in super market on credit card, the customer swipes the card (IC card, debit card, etc.) into the card reader, which is connected (communicating) with the cash register (POS terminal) of the super market, signs, accepts the conditions and then the POS terminal dispenses the receipt of purchases. All this process is down within the POS (within a specific electronic money terminal) of super market to facilitate the transaction process faster and in real time, without calling the bank to get authorization, or getting the image of the credit card (old type carbon papers receipts) to be given to the bank.

Additionally, Suzuki discloses collecting and storing customer's transaction history data in real-time, and wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal [Abstract; Figure 3; C1 L5-13; C2 L48-53, L58-L66; C3 L54-L64; C5 L27-L35; C10 L18-L26] to provide a suitable way for a customer to transport pertinent collected

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data between terminals and exchange data with terminal and capture the recent transaction using contactless smart card.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Pitroda and include utilization-history from each of the said plurality of electronic money terminal is processed within a specific electronic money terminal to speed up the transaction process and let the customer confirm the transaction in real time, and include Wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal, as disclosed by Suzuki, to provide a suitable portable way for a customer to transport pertinent collected transaction data (shopping data) between terminals and exchange data with terminals in real-time.

Re. Claim 3 Pitroda, discloses wherein when said utilization-history data (transaction information) of any of said plurality of electronic money terminals has been lost, said electronic money management means employs the utilization-history data from the other electronic money terminals [C3 L2-L49].

Re. Claims 4, Pitroda discloses an information card (a universal transaction card) and using it with ATM and POS terminals [C1 L1-L67; C10 L26-L40]. Pitroda, explicitly, does not disclose a comparison of the contents of the plural data of utilization-histories, which

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have been gathered from said respective electronic money terminals, and then performs tabulation in a manner such that the plural utilization-history data, which have coincided with each other at the comparison, are treated as one utilization-history data. However, in banking and accounting it is well known to consolidate, reconcile and audit accounts for accuracy and completeness. Further, credit, ATM, and/or debit cards are (is) used in different locations but the account statement includes all transactions. Therefore it would have been obvious to one ordinary skill in the art to modify disclosure of Pitroda and include tabulation and comparison of history data (transactions) to reconcile the account and eliminate duplicates and add missing transaction.

Re. Claim 11, Pitroda discloses a universal electronic transaction card ("UET card") for storing account information, crediting and debiting the account (credit or debit to cash balance stored on the card) [Abstract; C3 L41-L46], -- storing electronic money data and utilization-history data relating to deposits or withdrawals of electronic money and utilization of an information card on the information card [read entire document particularly, Abs; Fig. 1-2, 4, C2 L42-65; C8 L49-50], -- reading the utilization-history data when electronic money data is withdrawn from the information card at any one of a plurality of electronic money terminals for authorization for withdrawing the money data (preventing unauthorized access to the information stored in the memory such as money data, record (history data) or balance) [Fig. 19; C1 L36-L67; C3 L41-L46; C4 L15-L41; C8 L4-L5; C9 L49-L55; C14 L19-L60; C15 L1-L67], and gathering the utilization-history data from the electronic money terminals [C1 L5-L67; C2 L42 to C3

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L34; C10 L4-L40]. Pitroda does not explicitly disclose wherein the utilization-history from each of the said plurality of electronic money terminal is processed within a specific electronic money terminal, Wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal.

However, it is well known that the ATM or POS terminal (electronic money terminal) processes the transactions and logs the history of the transaction with dispensing a receipt for customer (owner of the card) what he/she has purchased. For example, when a customer is charging its grocery in super market on credit card, the customer swipes the card (IC card, debit card, etc.) into the card reader, which is connected (communicating) with the cash register (POS terminal) of the super market, signs, accepts the conditions and then the POS terminal dispenses the receipt of purchases. All this process is down within the POS (within a specific electronic money terminal) of super market to facilitate the transaction process faster and in real time, without calling the bank to get authorization, or getting the image of the credit card (old type carbon papers receipts) to be given to the bank.

Additionally, Suzuki discloses Wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal [Abstract; Figure 3; C1 L5-13; C2 L48-53, L58-L66; C3 L54-L64; C5 L27-L35; C10 L18-L26] to provide a suitable way for a customer to transport pertinent

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collected data between terminals and exchange data with terminal and capture the recent transaction using contactless smart card. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Pitroda and include utilization-history from each of the said plurality of electronic money terminal is processed within a specific electronic money terminal to speed up the transaction process and let the customer confirm the transaction in real time, and include Wherein the gathering of the utilization-history data by the electronic money management means occurs independently of the reading of the utilization-history data and withdrawal of the electronic money data by the electronic money terminal, as disclosed by Suzuki, to provide a suitable portable way for a customer to transport pertinent collected transaction data (shopping data) between terminals and exchange data with terminals in real-time.

Re. Claim 12, claim 12 is rejected with same rational as claim 3.

Re. Claim 13, claim 13 is rejected with same rational as claim 4.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda in view of Suzuki as applied to claim 10 above, and further in view of Hurta et al (US 6,317,721).

Re. Claim 2, Pitroda (US 5,884,271) discloses an information card (a universal transaction card) for transmitting/receiving said money data to/from the plurality of

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electronic money terminals [Abs; C1 L5-L67; C2 L42 to C3 L34]. Pitroda does not explicitly disclose non-contact type information card without any contact with the electronic money terminals. However, Hurta et al discloses smart card (IC card) and smartcard-based transponder and RF communication and wireless transaction (non-contact type) [Abs; Fig. 1; C2 L35-46; C5 L25 to C6 L31] to allow remote communication between transponder (IC card) and terminal (AVI system) (i.e. wireless communication is known such as garage door opener, TV remote operator, security badge, etc.) Thus, it would have been obvious to one ordinary skill in the art to modify and combine disclosures of Pitroda, Suzuki and Hurta et al to provide wireless transaction system to provide privacy as well as eliminate point-of-sale equipment [Hurta et al C2 L6-L23].

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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